

SUMMARY REPORT DIGEST
CHICAGO POLICE DEPARTMENTLOG NO
1076736TYPE
CRDATE OF REPORT
28-OCT-2015

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
HENDRICKS, RAMONA	9182			113	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: [REDACTED] CHICAGO, IL 60651	DATE / TIME:16-AUG-2015 21:08	BEAT: 2531
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
MCNICHOLS, JOHN P	9161	17563	[REDACTED]	025		M / WHI	[REDACTED]-1981	03-JAN-2005	YES	YES
CORFIELD, ROBERT C	9161	4046	[REDACTED]	025		M / WHI	[REDACTED]-1987	30-NOV-2012	YES	YES
BUNGE, KEVIN J	9161	19906	[REDACTED]	025		M / WHI	[REDACTED]-1982	05-MAR-2013	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
[REDACTED]	[REDACTED]	CHICAGO, IL	[REDACTED]	F / BLK	[REDACTED]-1978 / 37

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
[REDACTED]	[REDACTED]	CHICAGO, IL	[REDACTED]	F / BLK	[REDACTED]-1978 / 37
[REDACTED]	[REDACTED]	CHICAGO, IL	[REDACTED]	M / BLK	[REDACTED]-1976 / 39

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
[REDACTED]	[REDACTED]	CHICAGO, IL		F / BLK	[REDACTED]-1997 / 18

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS, IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

SEE PAGE 3

SUMMARY

SEE PAGE 3

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
			25

FINDINGS - RECOMMENDATIONS

ACCUSED #1: JOHN MC NICHOLS, #17563
ALLEGATION #1: UNFOUNDED
ALLEGATION #2: EXONERATED

ACCUSED #2: ROBERT CORFIELD, #4046
ALLEGATION #1: UNFOUNDED
ALLEGATION #2: EXONERATED

ACCUSED #3: KEVIN BUNGE, #19906
ALLEGATION #1: UNFOUNDED
ALLEGATION #2: EXONERATED
ALLEGATION #3: EXONERATED


Supervisor Joshua T. Hunt

DATE INITIATED
(Date incident was received for investigation)

27-AUG-2015

DATE COMPLETED (Date of this report)

28-OCT-2015

ELAPSED TIME
(Total time expressed in days)

62

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

ALLEGATIONS:

On 17 August 2015, at 1054 hours, the complainant, [REDACTED] contacted the Independent Police Review Authority and registered a complaint with Investigator Gina Mack. It is reported that on 16 August 2015, at approximately 2145 hours, at [REDACTED] **Officer John Mc Nichols, #17563, Officer Robert Corfield, #4046, and Officer Kevin Bunge, #19906:**

1. Kicked in [REDACTED] back door; and
2. Arrested [REDACTED] without justification.

It is further alleged that **Officer Kevin Bunge, #19906**

1. Tased [REDACTED] without justification.

INVESTIGATION:

In a statement to IPRA on 19 August 2015, [REDACTED] stated the allegations as indicated in the Allegations section of this report. (Atts. #19, 20)

In a statement to IPRA on 19 August 2015, [REDACTED] stated that she was outside when [REDACTED] pulled into the backyard on his bicycle and walked to the apartment. A marked squad car then arrived and an officer asked [REDACTED] who ran into the house. The officers asked what the address was and proceeded to get on the radio and provide the address. A moment later, several more uniformed officers arrived. The officers went upstairs and repeatedly kicked on the back door to the [REDACTED] where [REDACTED] resides. The officers threatened to kick the door open if nobody opened the door. [REDACTED] opened the door and stated, "Why the fuck are you kicking on my door?" [REDACTED] could not see what transpired on the [REDACTED] back porch but she did hear what sounded like a scuffle. [REDACTED] was then escorted down the stairs by the officers. [REDACTED] was not handcuffed. An officer on each side held [REDACTED] by each arm as they escorted him down the stairs and through the backyard toward the alley where the squad cars were. The officers then carried [REDACTED] and placed him into the backseat of a squad car in the alley. (Atts. #14, 15)

The **Arrest Report** and **Original Case Incident Report** of [REDACTED] indicated that he was arrested for aggravated battery to a peace officer, resisting, and obstruction. (Atts. #5, 6)

The **Tactical Response Report** submitted by **Officer John Mc Nichols** reflects that [REDACTED] did not follow verbal direction, stiffened his body, pulled away, and posed an imminent threat of battery. Officer Mc Nichols responded with member presence, verbal commands, escort holds, wristlock, and armbar. Based on the information available at that time, Watch Commander, Robert Lajewski, stated that the officers utilized appropriate control modes to affect the arrest of the subject whose

actions constituted that of an "assailant" under the department's Use of Force paradigm. (Att. #9)

The **Officer's Battery Report** submitted by **Officer John Mc Nichols** reflects that he was on duty, in uniform, with one partner, in a squad car. Officer Mc Nichols was verbally threatened and attacked with hands/fists. (Att. #8)

The **Tactical Response Report** submitted by **Officer Kevin Bunge** reflects that [REDACTED] did not follow verbal direction, stiffened his body, and pulled away. Officer Kevin Bunge responded with member presence, verbal commands, escort holds, and taser. Based on the information available at that time, Watch Commander, Robert Lajewski, stated that member(s) actions complied with department policy. However, Log # 1076726 was obtained per department policy. (Att. #10)

Mugshot Photos of [REDACTED] depict no visible injuries. (Att. #7)

Cell Phone Video #1 ran for two minutes and twenty-three seconds and began with a view of the kitchen door. The R/I Nufio heard sounds of banging on the door and a male voice stated, "Open the door." [REDACTED] then walked to the door and stated, "Hey listen, shut your bitch ass up." [REDACTED] opened the door and a white male uniformed officer is observed standing on the other side of the threshold. [REDACTED] aggressively comes very close to the officer's face and stated, "What the fuck do you all want?" The white male officer pulled [REDACTED] toward him and pulled his right arm behind his back in an attempt to handcuff him. [REDACTED] pulled away. The person holding the camera walked to the kitchen door and several more male uniformed officers are observed standing on the back porch. The white male uniformed officer ordered [REDACTED] to put his hands behind his back. [REDACTED] asked, "For what?" The officers attempted to pull [REDACTED] toward them and [REDACTED] pulled away. The sound of a Taser shock is then heard and [REDACTED] shouting, "Ah!" After [REDACTED] was tasered, it appeared that he continued to struggle with the officers. The video showed the officers attempting to control [REDACTED] as he continued to pull away from them. The video depicted that [REDACTED] was tasered a second time at this point and then the officers appeared to gain control of him as they escorted him down the stairs. (Atts. #21, 23)

Cell Phone Video #2 ran for two minutes and began with a view of several uniformed officers in the alley. The person holding the camera stated, "All that just for him." A male officer stated, "We are going to talk to you in a minute just hold on." Several uniformed officers carried [REDACTED] who is not handcuffed, to a marked squad car. Two male uniformed officers have their cell phones out and appeared to be recording the scene as well. (Atts. #22, 23)

Chicago Police Event Queries documented that Beats 2531 and 2546 were on scene at [REDACTED] and requested assist units. It was further noted that a man ran into the alley behind [REDACTED] wearing a dark colored shirt with dark jeans. A taser was deployed and the offender was taken into custody. (Att. #24)

CONCLUSION:

Officer John Mc Nichols, #17563, Officer Robert Corfield, #4046, and Officer Kevin Bunge, #19906

Allegation #1: Unfounded

The Reporting Investigator recommends a finding of **Unfounded** in accordance with **Special Order 08-01-01 § II C** for **Allegation #1** that Officer Mc Nichols, Officer Corfield, and Officer Kevin Bunge kicked [REDACTED] back door in.

The video recording of the incident depicts [REDACTED] opening the door. It should be further noted that the complainant, [REDACTED], also stated that [REDACTED] opened the door during her interview with Inv. Nufio thereby contradicting her initial version of events when she registered the complaint. Therefore, it is recommended that this investigation be terminated at this time without conducting further investigation.

Officer John Mc Nichols, #17563, Officer Robert Corfield, #4046, and Officer Kevin Bunge, #19906

Allegation #2: Exonerated

The Reporting Investigator recommends a finding of **Exonerated** in accordance with **Special Order 08-01-01 § II C** for **Allegation #2**, that Officer Mc Nichols, Officer Corfield, and Officer Kevin Bunge arrested [REDACTED] without justification.

The Arrest Report for [REDACTED] indicated that he was arrested for aggravated battery to a peace officer, resisting, and obstruction. [REDACTED] charged at Officer Mc Nichols with his fist clenched and chest puffed out yelling obscenities, "Fuck you I did not do anything wrong," placing Officer Mc Nichols in fear of receiving a battery. [REDACTED] was informed that he was under arrest for aggravated assault and officers attempted to take him into custody, at which time [REDACTED] shoved Officer Mc Nichols about the chest with his hands several times and grabbed Officer Mc Nichols body armor carrier.

[REDACTED] stiffened his body, pulled away, and disobeyed all verbal commands to cease resisting, in an attempt to defeat the arrest. Officer Bunge deployed his taser striking [REDACTED] in the abdomen. [REDACTED] continued to resist officers who finally were able to gain control and take him into custody. Officers Mc Nichols and Bunge admitted to using force after [REDACTED] refused to follow verbal direction which is documented in the officers Tactical Response Reports. The physical contact between the officers and [REDACTED] was necessary and not excessive, in that, the officers did not violate any department policy. Therefore, it is recommended that this investigation be terminated at this time without conducting further interviews. (Atts. #5, 6)

Officer Kevin Bunge, #19906

Allegation #1: Exonerated

The Reporting Investigator recommends a finding of **Exonerated** in accordance with **Special Order 08-01-01 § II C** for **Allegation #1**, that Officer Kevin Bunge tased [REDACTED] without justification for the same reasons as stated above.